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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11 JENNIFER SIMATIC,

12                  Plaintiff,

13                  v.

14                  COMMISSIONER OF SOCIAL  
15                  SECURITY,

16                  Defendant.

17                  CASE NO. 3:21-cv-05180-MJP-JRC

18                  ORDER TO FILE PROPOSED  
19                  BRIEFING SCHEDULE

20                  The District Court has referred this case to the undersigned. Dkt. 19. The matter is  
21 before the Court on the parties' joint status report (Dkt. 20) and plaintiff's amended complaint  
22 (Dkt. 25).

23                  In the joint status report, plaintiff, who is *pro se*, states that she wishes to obtain  
24 discovery on her Freedom of Information Act ("FOIA") claims. Dkt. 20, at 3–4. Defendant  
takes the position that discovery is unavailable in this case. Dkt. 20, at 4. Defendant proposes  
that the parties stipulate to a proposed summary judgment briefing schedule. Dkt. 20, at 6.

1        Generally, in lieu of discovery, the defendant in a FOIA case will supply declarations  
2 explaining the agency’s search process, which documents were withheld, why the documents  
3 were withheld, and why disclosure would damage the interest protected by a claimed statutory  
4 exemption. *See Withey v. Fed. Bureau of Investigation*, No. C18-1635-JCC, 2020 WL 885974,  
5 at \*1 (W.D. Wash. Feb. 24, 2020) (citing authorities and explaining that “[i]n FOIA cases, the  
6 general rule is that discovery is unavailable”). “Summary judgment is the procedural vehicle by  
7 which nearly all FOIA cases are resolved.” *Shannahan v. I.R.S.*, 637 F. Supp. 2d 902, 912 (W.D.  
8 Wash. 2009) (internal citation and quotation marks omitted).

9       Therefore, the Court directs the parties to confer and to provide this Court with a  
10 proposed summary judgment briefing schedule. The parties shall provide a proposed briefing  
11 schedule on or before August 13, 2021.

12 || A copy of this Order shall be mailed to plaintiff.

13 Dated this 14th day of July, 2021.

  
J. Richard Creature  
Chief United States Magistrate Judge